

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION - CLEVELAND

IN RE:) CHAPTER 13
)
MICHAEL J. CELIGA, SR.) CASE NO. 17-13097
)
Debtor) JUDGE ARTHUR I. HARRIS
)
) **OBJECTION TO CONFIRMATION**
) **OF THE CHAPTER 13 PLAN**
)
) ** PROPERTY ADDRESS
) 293 West Main Street
) Madison, Ohio 44057
)

Now comes DITECH FINANCIAL LLC ("Ditech") a creditor herein holding a secured claim on the residence of the debtor and hereafter, pursuant to 11 U.S.C., Section 1324 objects to the confirmation of the within Chapter 13 plan for the reasons set forth:

1. The debtor is in possession and use of the property and is unable or has not been given adequate protection against further deterioration or depletion of the property which is secured by the mortgage of Ditech, including but not limited to the payment of real estate taxes and maintenance of adequate insurance.
2. There is no equity in the real estate which is secured by the mortgage of Ditech, or, if there is equity, it is of insignificant value.

3. The plan does not comply with 11 U.S.C Section 1322(b)(5) as the plan does not provide for the curing of arrearages within a reasonable time, which arrearages are in the sum of \$17,174.62. Additionally, the monthly payment provided on the arrearages is too low and would not cure such arrearages within 60 months.

4. The Objection that is raised herewith is a standing Objection and shall continue with reference to the currently proposed plan and any subsequently modified plan or plans.

WHEREFORE, Creditor prays that this court deny confirmation of the Debtor(s) proposed Chapter 13 Plan.

/s/ Peter M. O'Grady
Reimer Law Co.
Peter M. O'Grady #0093349
Cynthia A. Jeffrey #0062718
Edward A. Bailey #0068073
30455 Solon Road
Solon, Ohio 44139
Phone No. 440-600-5500
Fax No. 440-600-5521
pogrady@reimerlaw.com

Notice

Parties in interest shall take notice that the within Objection of DITECH FINANCIAL LLC to confirmation of Chapter 13 Plan shall come on for hearing on the 10th day of August, 2017 at 1:00 p.m., in conjunction with the 1st meeting of creditors in the within matter.

/s/ Peter M. O'Grady
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CERTIFICATE OF SERVICE

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I certify that on June 22, 2017, a true and correct copy of the Objection to Confirmation was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the court's Electronic Mail Notice List:

1. Office of the U.S. Trustee at (Registered address)@usdoj.gov
2. Craig Shopneck on behalf of the Chapter 13 Trustee's office at ch13shopneck@ch13cleve.com
3. Robert J Delchin, Esq. on behalf of Michael J. Celiga, Sr., Debtor, at rdelchin@rcbiales.com

And by regular U.S. mail, postage prepaid, to:

4. Michael J. Celiga, Sr., Debtor at 293 W Main Street, Madison, OH 44057
5. Lake County Treasurer's Office at 105 Main Street Painesville, Ohio 44077

/s/ Peter M. O'Grady
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